

MAY 03 2005

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To:

NAME:	FACSIMILE:	TELEPHONE:
MS Amendment United States Patent and Trademark Office	(703) 872-9306	(571) 272-1944

FROM: Charles D. Holland

DATE:

May 3, 2005

Number of pages with cover page:	4	
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Comments: **RESPONSE TO RESTRICTION REQUIREMENT**

DOCKET NO.: 245402007300

GROUP ART UNIT: 2828

EXAMINER: J. Mcnefee

SERIAL NO.: 10/645,698

FILING DATE: August 20, 2003

INVENTOR(S): Makoto YOKOTA

TITLE: SEMICONDUCTOR LASER DEVICE AND METHOD OF MANUFACTURING THE SAME

Papers attached:

1. Transmittal (1 page)
2. Amendment/Response, Restriction Requirement (2 pages)

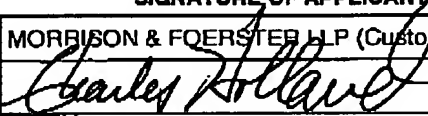
PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/645,698
		Filing Date	August 20, 2003
		First Named Inventor	Makoto YOKOTA
		Art Unit	2828
		Examiner Name	J. Menefee
Total Number of Pages in This Submission	3	Attorney Docket Number	245402007300

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (2 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)	
Signature		
Printed name	Charles D. Holland	
Date	May 3, 2005	Reg. No. 35,198

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Dated: May 3, 2005

Signature:  (Carolyn G. McKubre)

pa-976824

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Dated: May 3, 2005

Signature: C. G. McKubre
(Carolyn G. McKubre)

Docket No.: 245402007300
Client Ref.: 903152-01(SK/in)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Makoto YOKOTA

Application No.: 10/645,698

Confirmation No.: 9292

Filed: August 20, 2003

Art Unit: 2828

For: SEMICONDUCTOR LASER DEVICE AND
METHOD OF MANUFACTURING THE
SAME

Examiner: J. Menefee

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 12, 2005 (Paper No. 20050408), Applicant hereby provisionally elects claims Group I, claims 1-6 for continued examination without traverse.

The Examiner has required restriction between:

I Claims 1-6, drawn to a semiconductor laser, classified in class 372, subclass 49; and

II Claims 7-8, drawn to a method of fabricating a semiconductor laser, classified in class 438, subclass 22+.

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Application No.: 10/645,698

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Docket No.: 245402007300

Applicant also reserves the right to amend the application to include a generic claim or other linking claim or claims as prosecution proceeds. The provisional election of the claims of Group I, is not to be construed as dedication of the unelected subject matter to the public, and Applicant reserves the right to file continuing and divisional applications for this subject matter.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing (245402007300). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 3, 2005

Respectfully submitted,

By 

Charles D. Holland

Registration No.: 35,196

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